



COPY

**IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE**

APPLICANT: Rodney Bennett
SERIAL NO.: 09/788,113
FILING DATE: February 16, 2001
TITLE: System and Method for Automating the Assembly, Processing and
Delivery of Documents
EXAMINER: Chongshan Chen
GROUP ART UNIT: 2172
ATTY. DKT. NO.: 21532-04870

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

DECLARATION OF J. DALE DEBBER

I, J. Dale Debber, hereby declare the following:

1. I am the CEO of Real Consulting LLC. Real Consulting has a place of business in Grass Valley, California and is the assignee of the Application.
2. I attended the confidential internal developers conference that took place on February 19-22, 1999 (hereinafter "DevCon2"), at which time various developers and programmers disclosed their current projects. Such confidential internal meetings took place at various times during the year.
3. On that date, Rodney Bennett (hereinafter "Mr. Bennett"), a software developer for Real Consulting LLC at the time, disclosed to me and others in attendance identified in paragraph 4 below, in full detail the NetTransport system and its functionality. This disclosure included Mr. Bennett's conception for automating the assembly, processing, and delivery of

documents. It is my understanding and belief that the level of detail provided by Mr. Bennett was sufficient to enable one of skill in the art to recreate the NetTransport System.

4. The attendees at DevCon2 included Kevin Steinke, Li Chen, and Ken Page, employees of Real Consulting LLC; Rodney Bennett, Dan Ribb, Cookie Chan, and Richard Couch, employees of Real Consulting LLC at the time; John Wells, a consultant for Real Consulting LLC; and myself. An e-mail dated February 15, 1999 (hereinafter "February e-mail") to all anticipated attendees of DevCon2 detailing topics to be discussed, including the NetTransport system, details the list of attendees. The February e-mail was retrieved from the Real Consulting LLC e-mail archives by Jerry Rufener. Jerry Rufener is contractor under confidentiality agreement with Real Consulting LLC. A copy of the February e-mail is attached hereto as EXHIBIT A.

5. It is my understanding and belief that EXHIBIT B to the SUPPLEMENTAL DECLARATION OF RODNEY BENNETT, submitted herewith, is a true and correct copy of the meeting minutes for and an accurate reflection of what transpired at the conference.

6. Accordingly, it is my understanding and belief that Mr. Bennett conceived the NetTransport system prior to the date of DevCon2, February 19-22, 1999.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

21 JANUARY 2004

Date


J. Dale Debber

21532/04870/DOCS/1403822.1

EXHIBIT A

H:\199901\106\J_Dale_Debber\in\19990215174750375.AAA129@addw111
Return-Path: <jon@ridgecomm.com>
Received: from addw111 ([207.223.69.200]) by dccms5.earthmail.com
(Post.Office MTA v3.1.2 release (PO205-101c)
ID# 0-44629U5000L500S0) with SMTP id AAA129;
Mon, 15 Feb 1999 09:47:50 -0800
Reply-To: <jon@ridgecomm.com>
From: "jon wells" <jon@ridgecomm.com>
To: "_Dale Debber (E-mail)" <creator@content.com>,
"Dan Ribb (E-mail)" <dribb@earthmail.com>,
"Li Chen (E-mail)" <lichen@gte.net>,
"Rodney (E-mail)" <rbennett@earthmail.com>
Cc: "Dave J Ribb (E-mail)" <djribb@earthmail.com>,
"John Aurelius (E-mail)" <jaurel@ix.netcom.com>,
"Ken Page Earthmail (E-mail)" <kpage@earthmail.com>,
"Kevin Steinke (E-mail)" <KSteinke@earthmail.com>,
"Rich Couch (E-mail)" <rich@rcit.com>,
"Zack Laferriere (E-mail)" <zack@earthmail.com>,
"cookie" <cchan@earthmail.com>
Subject: devcon2 submissions
Date: Mon, 15 Feb 1999 09:48:01 -0800
Message-ID: <000d01be590b\$54dfad90\$6f01650a@addw111.Sphincter.com>
MIME-Version: 1.0
Content-Type: text/plain;
charset="iso-8859-1"
Content-Transfer-Encoding: 8bit
X-Priority: 3 (Normal)
X-MSMail-Priority: Normal
X-Mailer: Microsoft Outlook 8.5, Build 4.71.2173.0
Importance: Normal
X-MimeOLE: Produced By Microsoft MimeOLE V4.72.2106.4

Hi,

Last Call for submissions to DevCon2.
everyone is pretty much looking to the same items.
Tomorro I will come up with a draft on time & agenda item so we can get
an idea of structure and timing.

If you don't see it then make sure i know about it.

tanks

Jon Wells.....
here tis

Agenda Items for the 2nd Developers conference
DevCon2
2/18/99 à 2/22/99
Suggested Agenda Items::

Dan Ribb

Approved dev tools and versions/patches of those tools. - VERY HOT ITEM

MTS Security - how, why, when and who

SQL Mail

SQL 7.0

3 tier development - how, why, when

Rapids 32

Kevin Steinke

1. OTIS - Problem description is too minimal. We need to have and know the system (or flow) of how the anomaly tracks through otis. Who maintains the anomaly. I have no way of making any updates to the anomaly (except the description, but most of the time its already a maxed out description.)

2. Project Management - I'd like to see a pipeline (or scheduling) of items that I am going to be working on.

3. MTS - Transaction server. Are we implementing it? If so Can we get some background on how were using it.

4. Of course SQL 7 - Our savior!

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2) Sql 7.0 query optimizer can optimize embedded SQL statement in the middle-tier while 6.5 cannot. This will be important when we move to the three-tire architecture.

Rodney Bennett

1. Care and feeding of Microsoft Transaction Server

2. NetTransport i.e. Fax, Mail and Print services, how it works and where its located

3. SQL 7.0 when and where as it relates to Contelligence

Jon Wells

1. Rapids32

2. SQL 7.n0

3. Tools & progress since the Fall Developers conference.

4. Newsopoly Architecture.

5. Grins & Groans from the CEO.

6. Project summaries for Compline, Rapids, Contelligence, Newsopoly, 'OTIS"

7. Our Six month event horizon.....

8. Colo

9. New Applications tools operational paradigm review.

How do we quickly & Succinctly determine, VB from SQL from transvr from network from rodneys email from faxsvr. Need a set of web pages to debug

the app runtime and quick ways to determine fix.
10. SCIF Broker Tables moving into rapids.

Dale Debber

1. Rapids32
2. SQL 7.n0
3. Otis
4. Fresno Office
5. Project Status / Rapids, Compline,Contelligence,Tools,ScifBkr/WCIS,
NewBiz.
6. Timekeeper issues
7. VPN issues
8. DEV / QA / Prod Sync & Otis link.
9. Three tiered development.. cost / enviroinment / Rapid App Design.

No Submittals so far

Cookie Chan
John Aurelius
Zack
David J Ribb
Richard Couch
Ken Page

21532/04870/DOCS/1403821.1

EXHIBIT B to SUPPLEMENTAL DECLARATION OF RODNEY BENNETT

H:\199901\106\J_Dale_Debber\in\19990215174750375.AAA129@addw111
Return-Path: <jon@ridgecomm.com>
Received: from addw111 ([207.223.69.200]) by dccms5.earthmail.com
(Post.Office MTA v3.1.2 release (PO205-101c)
ID# 0-44629U5000L500S0) with SMTP id AAA129;
Mon, 15 Feb 1999 09:47:50 -0800

Reply-To: <jon@ridgecomm.com>

From: "jon wells" <jon@ridgecomm.com>

To: "Dale Debber (E-mail)" <creator@content.com>,
"Dan Ribb (E-mail)" <dribb@earthmail.com>,
"Li Chen (E-mail)" <lichen@gte.net>,
"Rodney (E-mail)" <rbennett@earthmail.com>

Cc: "Dave J Ribb (E-mail)" <djribb@earthmail.com>,
"John Aurelius (E-mail)" <jaurel@ix.netcom.com>,
"Ken Page Earthmail (E-mail)" <kpage@earthmail.com>,
"Kevin Steinke (E-mail)" <KSteinke@earthmail.com>,
"Rich Couch (E-mail)" <rich@rcit.com>,
"Zack Laferriere (E-mail)" <zack@earthmail.com>,
"cookie" <cchan@earthmail.com>

Subject: devcon2 submissions

Date: Mon, 15 Feb 1999 09:48:01 -0800

Message-ID: <000d01be590b\$54dfad90\$6f01650a@addw111.Sphincter.com>

MIME-Version: 1.0

Content-Type: text/plain;
charset="iso-8859-1"

Content-Transfer-Encoding: 8bit

X-Priority: 3 (Normal)

X-MSMail-Priority: Normal

X-Mailer: Microsoft Outlook 8.5, Build 4.71.2173.0

Importance: Normal

X-MimeOLE: Produced By Microsoft MimeOLE V4.72.2106.4

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